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WOMAN SUFFRAGE

WOMAN SUFFRAGE. (2d ed. 1894, 1895).
Reports made by the Commissioners
appointed by the Board of Trade with
reference to the suffrage of women.
London, Government Secretary of the Board
of Trade.

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WOMAN
SUFFRAGE
1905

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Jan. 1924



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JAN 7 1924

TO THE MOST HONOURABLE
 THE MARQUESS OF SALISBURY, C.B.,
 PRESIDENT OF THE BOARD OF TRADE.

MY LORD,—I have the honour to refer to three Reports recently presented to the Board of Trade by Admiral Sir Cyprian Bridge, G.C.B., and Mr. Butler Aspinall, K.C., the Commissioners appointed by the Department to inquire into and report upon (a) the lamentable occurrences which took place in the North Sea on or about the night of October 21st and the morning of October 22nd, 1904, whereby certain British ships, in particular vessels of the "Gamecock" fleet of trawlers, suffered casualties and loss of life ensued; (b) the quantum of the damage of whatever kind and as to compensation.

The first Report dated 12th December, 1904, has reference to the occurrences at the time in question and the two later Reports, both dated the 7th of March, 1905, deal, one with the presentation and the other with the assessment of the claims for compensation.

In compliance with your instructions, these three Reports are now presented to Parliament, but the Appendices to the Report, dealing with the assessment of the claims for compensation, are not presented, as they contain confidential matter, much of which was submitted to the Commissioners on the express understanding that it should not be made public. The claimants themselves will, of course, have an opportunity of seeing the details of the assessment of the particular claims in which they are interested.

The Board of Trade have received a letter from the Secretary of State for Foreign Affairs, dated the 9th instant, informing the Department that the Russian Government has paid the sum of sixty-five thousand pounds in full satisfaction of all claims for compensation, and requesting the Department to take the necessary steps for the equitable distribution of that sum among the claimants.

Acting upon this letter, the more important claims have already been settled, and I am glad to report that the claimants who have been paid have expressed their satisfaction at the settlement which has been made by His Majesty's Government on their behalf.

It has been suggested that the sums of money awarded to the injured men who were on board the "Crane," and to the representatives of the men who were killed, should be invested in the hands of Trustees and held by them for the benefit of those entitled. This action should only be taken with the assent of the interested parties, and the Board are endeavouring to make some satisfactory arrangement on these lines.

A letter has been addressed to the Commissioners thanking them for the distinguished ability and judgment with which they conducted the important inquiries submitted to them.

I have the honour to be, my Lord,

Your Lordship's obedient Servant,

FRANCIS J. S. HOPWOOD.

March 21st, 1905.

INQUIRY

INTO THE CIRCUMSTANCES CONNECTED WITH THE

North Sea Incident.

21-22 OCTOBER, 1904.

R E P O R T

FROM THE

**Commissioners appointed by the Board
of Trade.**

MINUTE APPOINTING THE COMMISSIONERS

AT THE COUNCIL CHAMBER, WHITEHALL,

This Thirty-first day of October, 1904.

PRESENT :

THE RIGHT HONOURABLE GERALD WILLIAM BALFOUR, M.P.

The Board of Trade, under and by virtue of the powers conferred upon them by Sections 465 and 728 of the Merchant Shipping Act, 1894, and of all other powers them hereunto enabling, are pleased to appoint :—

ADMIRAL SIR CYPRIAN BRIDGE, G.C.B., and

MR. BUTLER ASPINALL, K.C.,

as Commissioners and Inspectors to inquire into and to report from time to time to them :—

- (a.) Upon the lamentable occurrences which took place in the North Sea on or about the night of October 21st and the morning of October 22nd, whereby certain British ships, in particular vessels of the "Gamecock" fleet of trawlers, suffered casualties, and loss of life ensued ;
- (b.) Upon the quantum of the damage of whatever kind and as to compensation ; and
- (c.) Generally on the matter.

The Board of Trade are further pleased to appoint the HONOURABLE NOEL M. FARRER to be Secretary to the said Commissioners and Inspectors.

G. W. BALFOUR.

APPEARANCES:

MR. W. PICKFORD, K.C., MR. HOWARD SMITH, MR. R. ELLIS CUNLIFFE, and MR. H. SAXELBY *for* THE BOARD OF TRADE.

MR. A. M. JACKSON and DR. T. C. JACKSON *for* KELSALL BROS. & BEECHING, LIMITED, JAMES LEYMAN & Co., LIMITED, and the REPRESENTATIVES OF LEGGETT.

MR. C. J. WILTSHIRE *for* THE ROYAL NATIONAL MISSION OF DEEP SEA FISHERMEN, Owners of the Mission Ship "ALPHA."

MR. E. A. LAVERACK, *for* JOHN NIXON, Chief Engineer of the "CRANE," JOHN RYDER, Deck hand of the "CRANE," WILLIAM SMITH, Mate of the "CRANE," WALTER WHELPTON, Skipper of "MINO," JAMES GILLARD, Skipper of "SNIPE," GEO. K. GREEN, Skipper of "GULL," WALTER JAMES EDMONDS, Skipper of "BURMAH," THOMAS EDMONDS, Skipper of "BASSEIN," THOMAS CANTWELL, Skipper of "TEAL," THOMAS HALL, Skipper of "TOMTIT," THOMAS O'HARA, Skipper of "GROUSE."

MR. G. S. WILLIAMSON *for* ARTHUR REA, Second Engineer of the "CRANE," ALBERT ALMOND, Trimmer of the "CRANE."

MR. J. G. T. FERENS *for* REPRESENTATIVES of Skipper G. H. SMITH, of the Steam Trawler "CRANE," who was killed.

MR. A. SAVAGE COOPER *for* HARRY HOGGART, in the London Hospital.

THE RUSSIAN VICE-CONSUL (MR. JAMES HEARD); and, after the mid-day adjournment on the first day, DR. HERBERT WOODHOUSE *for* the RUSSIAN EMBASSY.

REPORT.

TO THE RIGHT HONOURABLE

GERALD BALFOUR, M.P., &c.,

SIR,

We have the honour to report that we first visited Hull on 5th November, and inspected the damaged trawlers which were there, and saw the injuries which had been inflicted on them by the gun-fire of warships in the North Sea on the night between the 21st and 22nd October, 1904. The particulars of damage are described in detail in the Appendix.

As soon as the presence of the witnesses could be secured, many having to come in from the fishing ground in the North Sea, we opened an Inquiry in the Lecture Hall of the Assembly Rooms at Hull, and subsequently examined witnesses at the Hull Infirmary, and also in London. All witnesses who appeared before us were examined on oath. Depositions were read over and signed.

A Russian representative, in the person of the RUSSIAN VICE-CONSUL at Hull, appeared before us, and cross-examined witnesses during the morning of the first day of the Inquiry. After the mid-day adjournment, Dr. HERBERT WOODHOUSE, Solicitor, instructed by the Russian Embassy, appeared on its behalf, and cross-examined such witnesses as he saw fit. Every facility was given to him.

We decided that the Inquiry should be divided into two parts, viz: one dealing with the occurrences on the night of the 21st-22nd October, and the other with the injury to persons and damages to property and trade. We considered it advisable to proceed first with the Inquiry into the former, whilst the events of the night were still fresh in the memory of those who were able to give information concerning them.

It is right that we should here express our high appreciation of the zealous and able manner in which the Hon. Noel Farrer has discharged the onerous duties of Secretary to the Commissioners.

The facts as testified to were as follows:—

About midnight on the 21st-22nd October, 1904, some 30 steam trawlers of the "Gamecock" fleet, some 12 of Messrs. Leyman & Co.'s fleet, two mission hospital steamers, in most respects similar in design to trawlers, and three "Gamecock" carriers were engaged in their occupation of fishing on a part of the North Sea fishing ground—in 55° 18' north latitude, and 5° east longitude, about 200 miles E. by N. of "the Spurn," in a depth of water of about 23 fathoms; and some five or six miles to the southward and eastward of a mark-boat, in this case a sailing smack, which it is the practice to anchor in the neighbourhood of the place where the trawling is carried on.

In appearance the craft of the different classes are much alike. The carriers are of somewhat greater size than trawlers and have the bridge abaft the funnel, as also has the trawler "Oceanic."

The particular part of the fishing ground used by these vessels on the night in question is one which has been habitually frequented by trawlers for many years. The "Gamecock" fleet has been in the habit of going to it to trawl for about ten years; and there is evidence to show that it has been frequented for the purpose for at least twenty-five years.

The carriers, whose main business is to take the fish to the market in the port of London and the mission-hospital vessels also trawl when not otherwise occupied. On the night in question they were working with their trawls.

On the night in question—which was less than three days before full moon—the weather was hazy with occasional "Scotch mist," but it cleared from time to time, and until between 6 and 8 a.m. of the 22nd, was seldom "thick" or such as to prevent a ship's lights being seen at a considerable distance.

All the vessels above mentioned, whether trawlers, carriers or mission-hospital ships, carried and showed the regulation lights. Each carried and showed a "stern light" in the after part: and in the "fish pound," or inclosure of boards on the upper deck, many had burning two, in some cases three, bright paraffin lights to enable the hands gutting and sorting the fish to see how to do their work. The fleet works under the direction of an Admiral or Vice-Admiral, and on the night in question was working under the direction of the Vice-Admiral. The Vice-Admiral's vessel carried and showed in addition two "Admiral's lights." Most of the trawlers were heading about E.N.E., with the wind, which was about S.S.E. and moderate, on their starboard sides. A few on the outskirts of the fleet were heading in different directions.

All had one sail, the mizzen, set; a few had both main sail and mizzen set. The speed of the vessels trawling was about $2\frac{1}{2}$ knots.

Every vessel had a capital letter and a number painted in plain figures on her bows, and other distinctive marks abaft and on her funnels.

At about midnight rockets had been fired from the mark-boat and the Vice-Admiral's trawler for the purpose of directing the fishing.

The circumstances being as above stated, the lights of several steamers were observed by the trawlers approaching from the northward and eastward. The strangers seemed to be standing directly for the body of the trawling fleet, and as they approached they seemed to port their helms and steer so as to pass outside and to the northward and to leeward of the main body of the fishing fleet. In passing they turned searchlights on to the trawlers and made signals with coloured lights. The vessels were recognised as men-of-war and the signals they used show that they were foreigners and not British. Their number was, according to the evidence, four or five. They will be referred to hereafter as Group (A.).

Shortly after they had got near the trawling fleet the lights of a second group, hereafter referred to as (B.), were observed by the trawlers also to the northward and eastward, steering apparently directly for the fleet. The vessels of this group seemed to starboard their helms and alter course somewhat to the southward, so that they passed to the southward or to windward of all except a few vessels of the trawling fleet. Groups (A.) and (B.), except when using helm as above mentioned, were both standing to the southward and westward. A diagram representing the position of the men-of-war and most of the trawlers at the time when the firing commenced, and as it appeared to the witnesses, will be found in the Appendix. The bearings and distances were estimated by the witnesses, not fixed by exact observation.

When Group (B.) had come up to and was near the main body of the trawling fleet, the ships comprising this group (about five in number) were observed to be going slow or to have stopped. Both Groups (A.) and (B.) were showing their ordinary under-way lights and continued to do so. The vessels of Group (B.) used searchlights, throwing them on the fishing fleet in all directions, and also made coloured light signals of the same kind as those used by Group (A.); thus disclosing their character as men-of-war of a foreign country.

About midnight, one trawler, viz. : the "Tomtit"—which was away from the main body of the fleet and was to the S.S.W. of the Vice-Admiral's trawler, the "Ruff"—observed lights to the N.N.E.; and also saw two vessels—hereafter referred to as Group (C).—one of which used searchlights, and both of which were much nearer than the lights which the "Tomtit" had seen to the N.N.E. These vessels—Group (C).—as shown by the system of signals they used, were foreign men-of-war.

As regards time it is to be stated that the trawlers' clocks varied.

The two men-of-war—Group (C).—which were to the southward and in advance of the others, passed the "Tomtit," which was heading to the East, on her port side, that is to say, to the northward and to leeward of her, the wind being about S.S.E.

Both vessels stopped near the trawler. The one which was nearest fired. Shots were seen by the Master of the trawler to strike the water ahead of him. The second of these two men-of-war was not seen to fire. Both these men-of-war—Group (C).—altered course, passed across the "Tomtit's" bows, and one was observed to move off to the southward and westward.

Very shortly after the two ships of Group (C). were sighted by the isolated trawler "Tomtit," and were observed by the latter to be using their searchlights, the ships of Group (B.) opened fire. They fired from both sides, and in various directions, some of the trawlers being within very short range at the time.

Some of the witnesses spoke of there being two other men-of-war to windward of Group (B.), as appears in the diagram, and stated that these vessels also fired, having previously used coloured light signals and worked searchlights.

Two of the fishermen of the trawler "Mino" stated that immediately before the firing of Group (B.) commenced, they heard a bugle sound from the leading ship of the group. It was at first thought by the fishermen that the men-of-war were engaged in a sham fight, but they soon discovered their mistake. After the firing began, the Vice-Admiral of the fishing fleet fired green rockets; the trawler "Tomtit" sent up a white rocket. This was done in the hope of stopping the firing.

The trawlers which were already making known their character by showing their proper lights, had no means of signalling to stop the men-of-war from firing on them, and there is no known signal for that purpose.

According to the evidence, the firing lasted from about 10 to 30 minutes; in our opinion it lasted at least 10 minutes. The firing was from guns and small arms, or machine guns using rifle calibre bullets. Some of the witnesses stated that the firing stopped as soon as one of the ships threw the beams of her searchlights up at an angle of about 45 degrees.

It has in our opinion been established by the evidence that amongst the trawlers previously to or on the night in question there were no torpedo boats of any nationality, and in fact, except the visiting British cruiser some weeks before, no strangers of any kind other than the men-of-war above mentioned. It has also been established that in no case had any trawler on board her any person belonging to the service of or employed by the Japanese or any naval war material of any kind.

Two witnesses, viz., George Kitchen Green, the skipper of the "Gull," and Edwin Costello, the boatswain of the "Gull," stated that they imagined they each saw a torpedo boat. These craft were, in our opinion, the trawler "Crane," which was sunk by the firing, and the mission ship "Alpha." The "Crane" and the "Alpha" before the firing commenced were showing lights. In consequence of the firing all the lights of the "Crane" save one "pound light" were extinguished, and her mizzen which had been set was brought down by the firing. The "pound light" which was not extinguished was upon the deck of the trawler, and the glass was shattered by the firing. Green, the skipper of the "Gull," stated that the craft which he had imagined was a torpedo boat immediately afterwards showed a white and a red light; that he kept her under continuous observation; that he saw that she in fact was a trawler; that he proceeded towards her; that her crew hailed him that the trawler was sinking; that he sent a boat to her assistance; that she proved to be the trawler "Crane"; and that his boat brought off all the crew. The crew of the "Crane" gave evidence that they had shown a white and a red light for the purpose of getting assistance.

This evidence shows that the dark object which had been thought to be a torpedo boat was in fact the trawler "Crane." It was corroborated by the evidence of Edwin Costello, the boatswain, and of Harry Smirk, the chief engineer of the "Gull."

The "Crane," which, before the firing, had been heading the same way as the other trawlers near her, turned off to starboard after the firing had begun and headed towards the ships which fired. This was not until the skipper who had been conning the trawler was killed, her steering gear was damaged by shot, and she was no longer under command.

In consequence of the firing the skipper of the mission ship "Alpha" starboarded his helm so as to bring his vessel's stern towards the warships which were firing upon him, and also extinguished his lights. Edwin Costello, the boatswain of the "Gull," stated that the craft, which, after the firing had begun, he had taken for a torpedo-boat, was, in his opinion, the mission ship "Alpha." This, we find, is the fact. The position of the "Alpha," as shown by the evidence of other witnesses, corroborates this.

The beams of the electric searchlights, used by the men of war, were so directed that the letters, numbers, marks, and character of the trawlers could, and ought to have been plainly seen. The firing was continued some time after this was the case.

The fragments of projectiles found on board the trawlers which had been hit during the firing, have been identified as those used in the Russian service. The ships which fired on the trawlers, on the night of the 21st-22nd October, belonged to the Russian Navy. In the Appendix will be found details of the character and marking of the projectiles.

We find that as a result of the firing upon the trawlers on the night of the 21st-22nd October, 1904, two men,

George Henry Smith,
William Arthur Leggett,

were killed.

Six men,

William Smith,
John Nixon,
Harry Hoggart,
Arthur Rea,
Albert A. Almond,
John Ryder,

were wounded, Hoggart's wound being such as to incapacitate him permanently.

One trawler, the "Crane," was sunk. Five other trawlers, the "Mino," the "Moulmein," the "Gull," the "Snipe," the "Majestic," were hit by shot and damaged. Other trawlers, again, were damaged by the effect of shell explosions close to them. In several cases trawling gear was lost or damaged. The trade plied by the "Gamecock" fleet of Messrs. Kelsall Bros. & Beeching, and by the fleet of Messrs. Leyman & Co.—which trade is a matter of careful organisation—was dis-organised and rendered unproductive for a time.

The total amount of the damage cannot yet be ascertained, the owners of the trawlers, wherever possible, keeping their vessels at work, so as to avoid further disorganisation and consequent increase of expense. The exact amount of damage done to persons, property, and trade, and the claims for compensation will be made the subject of the further report which we propose to render when all the claims have been presented and considered.

Walter Lumb, the mate of the trawler "Oceanic," states that after the firing ceased one of the warships remained in the vicinity for about half an hour.

According to the evidence of men on board the trawler "Kennet," a warship passed them during daylight at about 7 or 7.15 a.m. on October 22nd, and fired at their trawler. The hull of this vessel was black; she had two funnels—the foremost funnel all black, the after funnel a lightish colour and black at the top; two masts, with two yards on each mast; and there were 30 or 40 bluejackets on her forecastle deck. She stopped for about three or four minutes, and then steamed away to the S.S.W.

We wish to make special mention of the bravery and coolness shown by Charles Beer, Harry Smirk, and Edwin Costello, of the "Gull," in attempting to save the "Crane," and in assisting to get her dead and wounded crew over to the "Gull."

We further wish to submit for consideration the conspicuous gallantry shown by William Smith, mate of the "Crane," and Arthur Rea, second engineer of the same trawler. Both of these men were wounded. Smith, who was still in bed during our visit to Hull, in spite of his wound assisted Hoggart, rendered helpless by his hand being shot off, into the "Gull's" boat and then refused to leave the sinking "Crane" till every one of the crew had got into the boat, because, being the mate and his skipper being killed, it was his duty to remain on board and be the last to leave his ship.

Arthur Rea, second engineer, also wounded, when he found the water coming into the "Crane," put an extra feed on to the boiler, and partially drew the fires under it. He went a second time, whilst the ship was sinking, to the engine room which was in darkness, the lights having been extinguished by the firing, and stopped the engines, thereby rendering possible the saving of the lives of the crew.

In reporting, as directed, on the case generally, we find that at the time in question a number of British trawlers were peacefully engaged in the pursuit of a lawful calling on a well-known fishing-ground in the North Sea: and that there was violent interruption of a customary and properly conducted operation of trade at a spot out of the way of the ordinary course of ships passing between the Skaw and the Straits of Dover, and in no sense in the vicinity of the theatre of current hostilities or of the immediate approaches thereto. There was no person employed by or on behalf of any foreign government, and there was no article of war material belonging to a belligerent or to any one else on board any of the craft in the trawling fleet, each one of which was conspicuously displaying the lights and numbering enjoined by the regulations issued in accordance with international conventions. The Board of Trade Regulations for Preventing Collisions at Sea which contain, amongst others, the rules concerning lights to be carried by trawlers, are attached hereto, and form part of our report. All these trawlers had at least one sail set.

We find that these trawlers were without warning or provocation fired upon (many at short range) by several men-of-war belonging to Russia ; that the firing was continued after the electric searchlights of the firing ships had been turned on the trawlers long enough to have made it easy to distinguish their character as peaceful fishing craft. The firing, which as we have said was without warning, was continued deliberately, at least ten minutes, and was on the evidence before us without reason or justification.

We also find that none of the Russian men-of-war after they had ceased to fire on the vessels of the trawling fleet took steps to render any assistance to, or to ascertain the condition of, the craft and crews on which they had been firing: and that there would have been a more serious loss of life, amounting at least to the whole of the wounded belonging to the sunken trawler "Crane," had not three of the crew of the "Gull" with great coolness and gallantry gone to their assistance.

We think that all the evidence of the men present in the trawling fleet which could throw any light upon this matter has been brought before us. We also are of opinion—having seen and heard the witnesses—that their evidence was honest, truthful, and accurate.

We have the honour to be, Sir,

Your obedient Servants,

CYPRIAN A. G. BRIDGE,

BUTLER ASPINALL.

NOEL M. FARRER,

SECRETARY.

12th December, 1904.

Board of Trade,
S.W.

TO THE RIGHT HONOURABLE

GERALD BALFOUR, M.P., ETC.

NORTH SEA INCIDENT.

SIR,

In compliance with the direction—conveyed to us in the Minute of our Appointment—to report “upon the quantum of damage of whatever kind and as to compensation,” we have the honour to submit this further report of our inquiry as proposed in the fourth paragraph of our former report.

Detailed statements of the injuries to persons and damage to property and loss of trade were made to us by witnesses on oath, and by means of properly authenticated documents.

The presentation of claims began during the Inquiry at Hull, in November, 1904. The main body of the claims was, however, presented at the Sittings held in London on the 19th and 20th December, 1904, and the delivery of documents continued to a much later date, some not having been received till after the beginning of February.

An opportunity was afforded to the Russian Embassy to be represented at all our sittings, and we notified to the legal representative of the Russian Embassy at the inquiry at Hull, that, if a representative wished to attend during the later sittings, every facility would be given to him. None, however, appeared at any of the sittings devoted to the consideration of claims for compensation.

We have considered it convenient to divide the several claims into classes, noting for each class the aggregate sum claimed. It should be stated that, owing to the desire of the owners to reduce as far as possible the loss of earnings and consequent amount of compensation to be claimed, they kept their trawlers at work whenever practicable. This necessitated the formation of estimates of the damage done to particular vessels and of the cost of repairing it. Subsequent precise examination in some cases showed that the estimate was insufficient, and in others that it was too large. The claims have been amended in this particular.

The claims for demurrage have also been amended in those cases in which the period of detention had been estimated and was subsequently ascertained.

The classification adopted and the amount of compensation claimed under each head are as follows :—

Class.	Nature of claim.	Amount claimed.
I.	Loss by death of relative - - - - -	10,670 0 0
II.	Wounds by gunfire - - - - -	17,472 0 0
III.	Personal injuries indirectly due to gunfire - - - - -	310 0 0
IV.	Loss of clothes and other effects (including incidental expenses in one instance) - - - - -	177 9 6
V.	Loss of earnings and wages due to detention, absence of ship from fishing ground for repair, etc. - - - - -	362 0 0
VI.	Physical indisposition after exposure to unusual danger and loss of earning power due to shock - - - - -	*1,110 0 0
VII.	Saving life and property - - - - -	2,500 0 0
VIII.	Complete loss of vessel and consequent loss of her earnings - - - - -	8,342 18 8
IX.	Examination and repair of vessels damaged by reason of the firing - - - - -	†10,351 10 0
X.	Loss of fishing gear - - - - -	646 6 6
XI.	Demurrage whilst vessels were detained in harbour for examination, repairs, etc. - - - - -	†7,552 0 0
XII.	Loss of and disturbed fishing 21st to 22nd October, 1904, and following days, loss of rebate, etc. - - - - -	2,458 9 8
XIII.	Diminution in catch - - - - -	†38,476 0 0
XIV.	Loss on sales - - - - -	
XV.	Loss of freight - - - - -	
XVI.	Loss of services of skipper killed - - - - -	†38,476 0 0
XVII.	Increased management expenses due to unprecedented nature of the incident - - - - -	
XVIII.	Surveyor's fees and miscellaneous expenses due to the incident - - - - -	1,319 16 4
		101,748 10 8
	Costs of solicitors and accountants - - - - -	2,081 12 5
	Total	103,830 3 1

* The amount of the specific claims was £2,915; but as to the claim put forward see explanatory paragraph.

† These are the amounts of the claims as amended.

‡ Including £476 put forward as an amendment on behalf of James Leyman & Company.

It was represented to us that Messrs. Kelsall Bros. & Beaching are entitled, in addition to the amounts formally claimed by them and included in the figures given above, to a further sum if they are to be adequately compensated for injury to their business which they have been unable to foresee; £15,000 was the sum suggested. Messrs. Leyman and Company's business would probably be proportionately affected.

In one class of the claims, viz.: VI., for physical indisposition after exposure to unusual danger and loss of earning power due to shock, specific claims were made by a comparatively small number of men, but a general claim was submitted on behalf of all the other men in the vessels with the fishing fleet at the time of the firing, and it was left to us to suggest to what extent the men in the different vessels are entitled to compensation under this head. The total number of men in the fishing fleet at the time in question was about 400.

It was subsequently intimated to us that the claim under this head on behalf of the crew of the "Alpha" was withdrawn, other arrangements being made by the owners, the Royal National Mission to Deep Sea Fishermen, to compensate them for the danger to which they had been subjected.

In regard to the other vessels we have found that there were some under a heavy fire, some under fire but not so heavy, and others again which were not sufficiently under fire to constitute a right to compensation under this particular head. It would in our opinion be a proper distribution if, in respect of the trawlers in the case first mentioned—other than the "Mino," which is entitled to special consideration—a sum equal to £10 to each skipper and £5 to each other hand in the crew were allowed; for the vessels in the second case the sums might be £8 and £4 respectively. For vessels in the third case, no payment is proposed. This would amount to a total sum of £1,110.

The claims in Class VII are for saving the lives of the surviving crew of the vessel sunk by the fire of the Russian men-of-war and for preventing another vessel which had her side shot through from foundering. In both cases the claimants effected the saving mentioned at the risk of their lives, and greatly diminished the total amount, which, but for their action, would have been claimed from the Russian Government.

The claims for saving life and property were put forward in the first place by the skippers concerned on behalf of themselves and their crews. It was afterwards represented to us on behalf of the owners that they should share in any sum awarded for saving life. We have not been able to entertain this latter demand as it appears to us not to be well founded.

The demurrage claims, Class XI., cover the periods of detention in port due to examination, inquiry, postponement of repair to permit Russian representatives to satisfy themselves of the amount of damage done, and completion of repairs.

As regards the claims for compensation for loss of fishing in Classes XII. and XIII., we may call attention to the statement that they do not include claims for compensation for loss of catch by vessels during periods for which demurrage is claimed in respect of them. Detailed figures as regards Classes XIII.-XVII. were put before us not as definite claims, but in support of the total claims which in the aggregate they somewhat exceeded.

We may mention that the authorities of the London Hospital have incurred considerable expense for the treatment of a fisherman who had been seriously wounded, but they have made no claim for this. Also the Mission Society which owns the "Alpha" and "Joseph and Sarah Miles" makes no claim for the treatment and conveyance of wounded men on board its vessels.

A proportion of the amounts of the claims in Classes XI.-XIV., demurrage and losses of catch and in price, is claimed on behalf of fishermen who would have been paid by a share in the catch or by poundage, and it is they who are entitled to this proportion of the amounts that are paid in respect of these claims.

The costs of the solicitors and accountants employed on behalf of the claimants in connection with the presentation of their claims appear as a separate item.

No figure has been included to meet the expenses incurred by His Majesty's Government in connection with our Inquiry.

The Honourable Noel M. Farrer has continued to discharge the duties of Secretary with zeal and ability which we highly appreciate.

We have the honour to be, Sir,

Your obedient Servants,

CYPRIAN A. G. BRIDGE,

BUTLER ASPINALL,

Commissioners.

NOEL M. FARRER,

SECRETARY.

7th March, 1905.

Board of Trade,
S.W.

TO THE RIGHT HONOURABLE
GERALD BALFOUR, M.P., ETC.

SIR,

We have the honour to submit a report, in which the claims for compensation consequent on the recent incident in the North Sea are assessed.

During the Inquiry we found that some of the claims were of a complicated nature, and on the 21st January, 1905, by permission of the President of the Admiralty Division of the High Court of Justice, and with the sanction of the Lord Chancellor, Mr. E. S. Roscoe, Registrar of the Court of Admiralty, was appointed to assist us in dealing with the claims presented. His assistance has been of the highest value.

In assessing the amount of pecuniary damage suffered by the claimants in consequence of the firing by Russian men-of-war on the night of the 21st-22nd October, 1904, we have been guided by the principles in case of damage followed by the Admiralty Court; but the incident into which we were directed to inquire was without precedent, and no previous decisions could be used as the exact basis of our conclusions.

In making our assessment it has been our endeavour to put the claimants into the position in which they would have been, but for the incident, subject, in the case of death or personal injury, to the addition of a small amount as a solatium. In the assessment of claims for repair of vessels, the Estimates of the official Board of Trade surveyor have been accepted.

Having made a minutely detailed examination of every claim presented, we are satisfied that the assessment now submitted covers all direct losses, personal, material, and commercial; makes equitable provision for the consequential damages—so far as they can be foreseen—caused by an unprecedented and violent interruption of a highly organised trade; and at the same time includes no demand which in our view exceeds strict equity for presentation to the Russian Government.

The claims divided by us into classes, with the assessment we have made in respect of each class, are as follows :—

Class.	Nature of Claim.	Amount Claimed.			Amount Assessed.		
		£	s.	d.	£	s.	d.
I.	Loss by death of relative - - - - -	10,670	0	0	5,800	0	0
II.	Wounds by gunfire - - - - -	17,472	0	0	6,700	0	0
III.	Personal injuries indirectly due to gunfire - - -	310	0	0	137	0	0
IV.	Loss of clothes and other effects (including incidental expenses in one instance) - - - - -	177	9	6	177	9	6
V.	Loss of earnings and wages due to detention, absence of ship from fishing ground for repair, etc. - - -	362	0	0	172	6	0
VI.	Physical indisposition after exposure to unusual danger and loss of earning power due to shock- - - - -	1,110	0	0*	1,110	0	0
VII.	Saving life and property - - - - -	2,500	0	0	650	0	0
VIII.	Complete loss of vessel and consequent loss of her earnings - - - - -	8,342	18	8	6,834	18	8
IX.	Examination and repair of vessels damaged by reason of the firing - - - - -	10,351	10	0†	9,141	0	0
X.	Loss of fishing gear - - - - -	646	6	6	646	6	6
XI.	Demurrage whilst vessels were detained in harbour for examination, repairs, etc. - - - - -	7,552	0	0	5,676	0	0
XII.	Loss of and disturbed fishing, 21st to 22nd October, 1904, and following days, loss of rebate, etc. - - -	2,458	9	8	2,202	9	8
XIII.	Diminution in catch - - - - -	38,476	0	0†	17,779	10	0
XIV.	Loss on sales - - - - -						
XV.	Loss of freight - - - - -						
XVI.	Loss of services of skipper killed - - - - -						
XVII.	Increased management expenses due to unprecedented nature of the incident - - - - -						
XVIII.	Surveyors fees and miscellaneous expenses due to the incident - - - - -	1,319	16	4	915	6	4
		101,748	10	8	57,942	6	8
	Costs of solicitors and accountants - - - - -	2,081	12	5	2,081	12	5
	Total - - - - -	103,830	3	1	60,023	19	1

* The amount of the specific claims was £2,915, but as to the claim put forward see report submitting claims.

† These are the amounts of the claims as amended.

‡ Includes £476 put forward as an amendment on behalf of James Leyman and Company.

A proportion of the amounts assessed for demurrage and loss of catch and in price are due to the fishermen who would have been paid by a share in the catch or by poundage.

The costs of the solicitors and accountants employed by the claimant were submitted to the solicitor to the Board of Trade, in whose opinion they are reasonable.

The details of the claims included above, together with our detailed assessment, are given in Appendix A to this Report. This Appendix A follows the order in which the claims are classified above. Appendix B contains a summary showing the assessment of claims of particular claimants.

Messrs. Kelsall Brothers and Beeching, Limited, consider that they are entitled to a further sum in addition to the amounts formally claimed by them, and included in the figures given above. They have represented to us that they apprehend that the violent interruption of their business is likely to result in consequences seriously endangering its future, though the exact effect of these consequences they are unable to foresee. They, however, are of opinion that a sum of fifteen thousand pounds would be not unreasonable to meet this apprehension. We are not able to fix any particular sum, but we are of opinion that the demand in itself is not unreasonable and that it should receive consideration.

If any sum is awarded beyond the amounts herein assessed we consider that it should be in the proportion of four-fifths between Kelsall Brothers and Beeching and one-fifth to James Leyman and Company.

A copy of the evidence in support of the claims is submitted with this report. Much of it was given on the understanding that it was of a confidential nature. We undertook that, so far as rested with us, the confidential matter should not be made public. We also stated that we understood that His Majesty's Government would not require that it should be published, but that we could give no undertaking as to the use made of it in communicating with the Russian Government.

We have the honour to be, Sir,

Your Obedient Servants,

CYPRIAN A. G. BRIDGE.

BUTLER ASPINALL.

Commissioners.

E. S. ROSCOE,

Assessor.

NOEL M. FARRER.

SECRETARY.

7th March, 1905.

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